

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. No. 04-10373-REK

EARTHSOURCE, INC.,

Plaintiff

v.

THE TOWN OF RAYNHAM, GORDON D.
LUCIANO, DONALD L. MCKINNON,
RAYMOND W. PLATT, individually & as
members of the Raynham Board of Health,

Defendants

DEFENDANTS' PROPOSED
SCHEDULING STATEMENT
PURSUANT TO L. R. 16.1

Now come the defendants and hereby submit the following proposed Scheduling Statement pursuant to Local Rule 16.1(D):

I. DISCOVERY PLAN

The parties propose the following discovery plan:

- A. Automatic Document Disclosure to be completed on or about May 31, 2004;
- B. All written discovery shall be served on or before July 30, 2004, and shall be completed by October 29, 2004;
- C. All non-expert depositions are to be completed by December 31, 2004;
- D. Plaintiff's expert witnesses shall be designated by January 31, 2005 and defendants' expert witnesses shall be designated within thirty (30) days after plaintiff's disclosure;
- E. All expert depositions shall be completed within thirty (30) days of defendants' expert designation.

II. MOTION SCHEDULE

All dispositive motions are to be filed on or before April 1, 2005.

III. ADR SCHEDULE

If the parties agree to submit this matter to alternative dispute resolution through the Court sponsored Mediation Program, they shall schedule mediation for a mutual agreeable time after the completion of discovery.

IV. CERTIFICATIONS

Defendants have filed L.R. 16.1 certifications of conferral.

V. CONSENT TO TRIAL BY MAGISTRATE

The defendants would consent to trial of this matter before a magistrate judge.

DEFENDANTS,
THE TOWN OF RAYNHAM,
GORDON D. LUCIANO,
DONALD L. MCKINNON,
RAYMOND W. PLATT

By their attorneys,

s/Gregg J. Corbo
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